Teamsters–UFW: Lopsided Battle

By GEORGE BAKER
Bee Staff Writer

Unions On The Farm
1974: The Year Of The Teamster

Backed by a multimillion dollar war chest the International Brotherhood of Teamsters has committed its full resources to taking over the organization of California's 300,000 farmworkers.

In its quest to unionize the workers the Teamsters have nearly dislodged the Cesar Chavez-led United Farm Workers of America, AFL-CIO, which once was the sole bargaining representative of farmworkers.

To a large degree the Teamsters have succeeded. The UFW is clearly the underdog in this battle, pitting a well-heeled union, the largest in the nation, against the almost rag-tag UFW, one of the nation's smallest unions.

Faced with a dwindling dues-paying membership and a shrunken treasury, the UFW has fallen back on a grape and lettuce boycott which brought it initial victories in the late 1960s.

But what of the Teamsters Union? Is it engaged in a cozy, sweetheart arrangement with growers, as Chavez alleges? Is Teamsters Farmworker Local 1973 the polished, professional operation that Teamster publicists and growers paint it? Are the Teamsters really representing the farmworkers?

A Bee survey of the Teamsters' operation, involving interviews with Teamster officials, farmworkers and UFW officials, growers and court records, has found that:

—Permanent workers are given first consideration by the Teamsters while seasonal workers, who make up the bulk of the state's farm labor force, are secondary recipients of highly touted fringe benefits such as pensions and health insurance.

—A basic reason the 2.2-million member Teamsters have organized field workers is to increase the union's bargaining muscle with other agribusiness employers and not to extend union benefits to an unorganized industry, according to chief farmworker organizer William Grami.

—The Teamsters have encountered numerous problems in administering contracts and collecting dues, both because of its approach in organizing workers from the top down and because of the seasonal nature of farm work.

—Major administrative snags have crept into at least one medical insurance plan for Teamster farmworkers. The Western Growers Association, which funds the plan, says these problems will soon be corrected.

—Since 1970, growers have been so anxious to sign contracts with the Teamsters instead of the UFW that they have agreed to terms with little, if any, evidence that the union represented the workers. In at least one instance there are allegations forgery may have been involved in the collection of farm-worker signatures on Teamster authorization cards.

—The Teamsters and International and two Teamsters cannery locals have been accused of racism directed against Americans of Mexican descent and women, according to two suits filed by the federal Equal Employment Opportunity Commission.

—At least one Teamsters operation, its social services department, appears to be working well. The department involves itself in nonunion problems of farmworkers such as immigration or social security.

David B. Castro, secretary-treasurer of Farmworkers Local 1973, generally denied the Teamsters are not representing farmworkers adequately.

But he did say the organization of the local has been restructured for greater efficiency.

"The name of the game is to represent the farmworkers and we're doing that," said Castro. "The thing I tell everyone is that we have to represent them or we'll be out."

Castro said several steps, such as the institution of shop stewards, have been taken to encourage members to participate in union affairs.

Without secret ballot elections there is no way to determine which union is favored among farmworkers. Yet, it is clear there are vocal loyalists for each union.

State legislation intended to provide for secret ballot elections died in the Senate this year when the Teamsters opposed a bill supported by the UFW which had passed the Assembly.

In the decade Chavez has organized farmworkers, there has been only one supervised election. That occurred in 1966 at the Di Giorgio Ranch in Kern County when workers voted for the UFW over the Teamsters, 530-331. Indeed the grape contracts signed by the UFW in 1970 were more the result of the boycott than elections.

Today, the Teamsters have more than 300 contracts covering a maximum of 50,000 workers while the UFW has 14 contracts covering 10,000 people, a dramatic drop from its one-time membership of about 45,000.

Since 1966, the Teamsters and UFW have sparred over organizing

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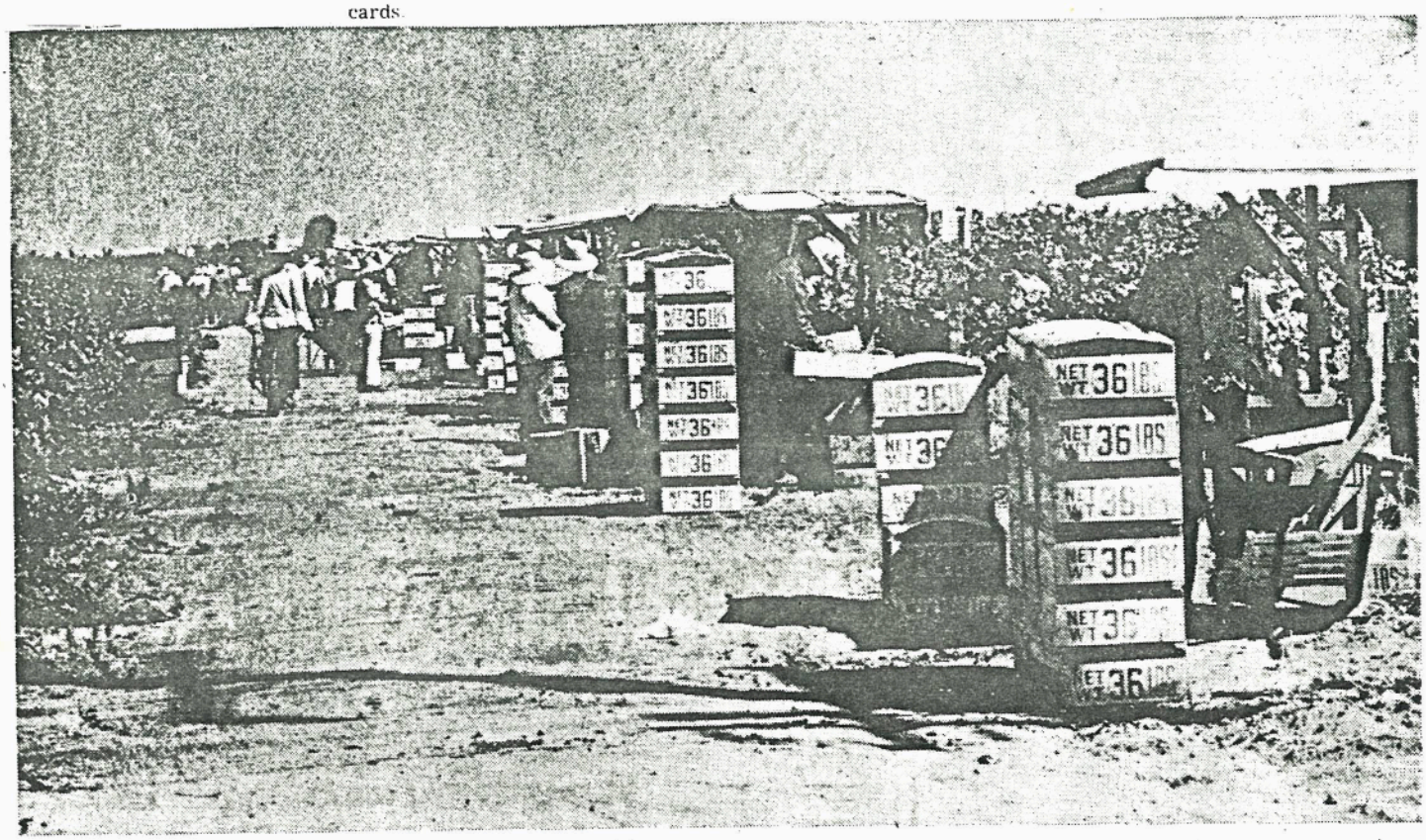

Farmworkers on a ranch near Delano pack table grapes for shipment to Canada. Bee Photo

Unions: Lopsided Battle On Valley Farms

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farmworkers. In the late 1960s, the Teamsters bowed out, but emerged again in 1970 by signing contracts with 169 lettuce and other produce growers.

For two years after that the UFW and Teamsters had an uneasy truce that left field worker organizing to the UFW. But that fell apart and the Teamsters mounted a major organizing drive in 1973.

This was signaled on Dec. 12, 1972, when Teamsters President Frank E. Fitzsimmons told a convention of the American Farm Bureau Federation, "We in organized labor wecome an alliance with farmers. . when that alliance works for the mutual benefit of the farmworker and his employer."

Then on Dec. 29, 1972, the California Supreme Court dealt the Teamsters a setback. In the Englund vs. Chavez case, the court ruled that the lettuce and produce growers had invited the Teamsters to sign contracts, even though the union "did not represent a substantial or even a majority of the field workers."

"There is no suggestion in the record that the growers" attempted to "ascertain whether their respective field workers desired to be represented by the Teamsters," the court said, adding the UFW appeared to be the favored union.

The decision did not invalidate the contracts, which had not been enforced up to that time, but merely held that no jurisdictional dispute existed between the two unions.

Shortly thereafter, the Teamsters and Western Growers Association renegotiated the contracts. Still, the Teamsters had received no authorization from workers to sign the contracts, so they began an organizing campaign in the Imperial Valley where most lettuce work was under way.

One of the growers involved was John Jackson Jr. of Jackson Farming Co. in El Centro. In a deposition given in connection with an injunction against the UFW, Jackson said he agreed to implement the unenforced 1970 contract on the basis of an authorization card count taken only among his 70 to 80 permanent workers.

Though there was a purported 100 per cent sign up, Jackson said he did not ask the Teamsters for substantiating proof, an unusual move in union-management contests.

On the basis of the card count, the contract was applied to his several thousand seasonal workers. Once the contract was enforced, seasonal workers had to join the Teamsters or be dismissed.

Then last February the organizing committee hired Albert Droubie, a convicted felon and one-time ranch foreman to organize grape workers in Coachella.

One April 16, when 30 growers signed with the Teamsters, Droubie's boss, Ralph Cotner, presented newsmen with petitions which he said bore the names of 4,103 workers who wanted the Teamsters instead of the UFW.

But there is evidence the number of signatures was grossly, and perhaps deliberately, inflated.

For example, George D. Marsh, a public information officer with the state Employment Development Department, said in a court affidavit that on April 14 there were only 1,500 farmhands working in Coachella.

Moreover, on March 13, the Teamsters had written letters to each of the growers demanding recognition on the basis of representing a majority of workers on each ranch.

The petitions contained 2,284 signatures, but Marsh said there were only 200 people working at the time.

In about 40 affidavits, UFW members said their signatures were forged or they were tricked into signing papers which turned out to be petitions.

Last January, Droubie, the man responsible for collecting the signatures, told two UFW attorneys he and two organizers had forged many of them.

The allegation was made by UFW attorneys Jerome Cohen and Sanford Nathan, who told The Bee they met with Droubie in an Indio motel and he told them he wanted "to blow the lid on the Teamsters."

Cono Macias, a high-ranking Teamster official, called the allegations a "damned lie," and said the signatures were collected by many workers.

An Indio judge has issued a bench warrant for Droubie's arrest in connection with an old charge of grand theft. Droubie could not be reached for comment.

When the E & J Gallo Winery of Modesto signed a Teamsters contract on July 10, 1973, it was ratified by the workers, 158-1.

But that vote is somewhat misleading. Ernest Gallo, president of the company, noted in an interview that at least 32 families living in Gallo housing at the time had joined a UFW strike and did not vote in the election. Others had simply walked off their jobs. Had all those workers voted, the results might have been different.

Tomorrow: The UFW's decline.

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FRESNO, CALIFORNIA, Monday, September 16, 1974

UFW Workers Fight Back Against Teamster Power

By GEORGE L. BAKER
Bee Staff Writer

Not long ago, Cesar Chavez' farmworkers union was marching inexorably toward unionization of most of the state's farmworkers.

It had much of the table grape and wine grape industries under contract and was ready to strike out after new crops.

Yet, today his army of true believers is in retreat, struggling to sur-

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vive the onslaught of the Teamster Union which last year took over most of the UFW's contracts with growers.

The United Farm Workers of America is still fighting back, vowing never to give up until it regains the jurisdiction over farmworkers that it rightly believes rightly it is.

Many observers of the decade-long farm labor struggle believe the Chavez union is on the brink of disaster outflanked and outmuscled by the Teamsters.

Its dues-paying membership has slipped from about 45,000 to 10,000. Last year it collected only $600,012 in dues compared to $1.2 million in 1972, according to federal records. It paid out $2.8 million in strike benefits last year yet it was unable to win back any contracts. As of Dec. 31, 1973 it had only $259,983 in cash on hand, compared to $1.1 million a year before.

But Chavez and other leaders of the UFW remain confident.

"We think the picture is misleading," said Chavez. "It would appear that the Teamsters are gaining a lot of ground and signing contracts. In reality, they are pretty well discredited and this will come across."

Those who dismissed the movement in the mid 1960s when it unfurled its black eagle flag are doing it again, he said.

"They have no understanding of the power of the workers. They look at power in terms of money, prestige and friends. That certainly is power. But public opinion, and workers and solidarity gives us more power in the end," Chavez said.

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"I don't think we're in that bad a shape," said UFW counsel Jerome Cohen, citing as an example, the union's use of political influence in getting its version of a secret ballot election bill through the Assembly this year.

It is the same fight as in the late 1960s when the UFW was first struggling to organize, "except you've got the Teamsters in it and that makes it a little tougher," he said. "It may take a little longer, but it is the same fight."

Chavez does not maintain every farmworker in the state backs him and his cause. Instead, he said, "I am reasonably certain that were workers able to make a decision, they would choose our union over the Teamsters in most every instance."

Indeed there are workers with grievances against the UFW, ranging from the dues structure to the senority system to the hiring hall. But most everyone agrees Chavez did more than anyone to increase dramatically the wages of farmworkers.

When he began organizing in 1964 the average wage paid a Delano grape picker was $1.25 an hour. Ten years later it has more than doubled to $2.50. This increase is reflected in many other agricultural areas.

The Teamsters now claim to pay the highest wage in the table grape industry, $2.52 an hour at the K. K. Larson ranch in Thermal, but in reality the pay scales of the UFW ($2.51 an hour) and Teamsters are comparable.

What is vastly different are the contracts and the way in which they are enforced. At the bottom line, the question is, who has the power? — worker or grower.

To Chavez, the most inherent evil inthe farm labor system is the lack of self determination by the workers.

So, when he began signing contracts in 1967, he instituted a hiring hall and a ranch committee system.

The hiring hall is the key to the Chavez operation. The power to assign jobs and senority, once resting in the hands of farm supervisors or labor contractors, was given to the workers themselves.

To get a job a worker must receive a dispatch from the hiring hall. And dispatches are assigned on the basis of senority.

• THE FRESNO BEE •

Unions: Chavez, UFW

Struggle To Retrieve Power

The ranch committee was the other integral part. The committees, elected by workers at each ranch, enforce contract provisions, take up workers' grievances, handle day-to-day problems with growers and take part in negotiating contracts.

It was the hiring hall primarily, which caused friction between the UFW workers and growers. Growers maintained the hiring hall was an inefficient method of obtaining workers for what is essentially a transient labor force, and inexperienced administrators were unable to match demands for labor with available supply.

And because of the senority system, some workers have complained members of a family with varying amounts of senority were unable to work together. Cohen says this is a "continual problem that has to be grappled with."

There were also complaints from workers about the dues system. Until January of this year, members of the UFW had to pay $3.50 dues per month, whether they were working or not.

This was changed at a UFW convention last year so workers now pay 2 per cent of their monthly wages in dues when only they work. work.

"The first dues system was voted on by workers in Delano in 1966 or 1967," said Cohen. "When the workers wanted to change it, they did, last year at the convention in Fresno."

Lionel Steinberg of Thermal, the only remaining table grape grower under UFW contract, said the union has corrected some of the practices which he and other growers found objectionable.

The need for a dispatch each time a worker changed job assignments has been eliminated, the timing of dispatches has been speeded up and there is a more cooperative attitude among the union people, he said.

"Some of the high-pressure angry people working at the farm level who found fault with everything are gone," he said. "There seem to be more moderate and reasonable people at the committee level."

To Cohen, the charge that the union personnel were inexperienced or intemperate was a smokescreen by growers who wanted to dump the UFW in favor of the Teamsters.

"Where we had problems we changed personnel all the the time," Cohen observed. "If a grower was inclined to work out problems, they could be resolved. If he wasn't it became a big problem."

For the Teamsters there are no hiring halls. Labor contractors, banned under UFW pacts, are free to work under the Teamsters though they must act as employes of famftss and not independent employers the Teamsters say.

The hiring hall is but one difference between UFW and Teamster contracts.

Significantly, senority clauses differ somewhat. Senority is the basis on which workers are employed, based on the amount of time the worker is employed.

According to UFW contracts, senority is accumulated from the first day a worker is employed.

Under Teamster pacts, senority is accumulated the same way, but workers have a 30-day probationary period during which no senority accumulates. If a worker is fired within that 30-day period, he has no union protection.

The UFW has a lengthy contract clause regulating the use of pesticides and industrial chemicals and establishing a joint worker-grower health and safety committee.

By contrast, the Teamsters require growers to observe all federal and state laws. In many instances, the UFW requirements have been stricter than federal-state legislation.

The discharge or firing clauses of the contracts also vary. sole right to fire employes for "just cause."

The definition of "just cause," standard language in labor union contracts, is something that ultimately is decided in grievance arbitration.

Teamster contracts also contain the "just cause." provision, but have a lengthy definition of it. Workers can be fired for drunkedness on the job, violence or threat of or intimidation; refusal to comply with working instruction; soliciting other employes to violate rules or work instructions or instigating, participating ing in or giving leadership to a slowdown or economic action during the time of the contract.

Other differences involve the medical insurance plan, pension and unemployment compensation insurance all of which will be covered in subsequent articles.

Tomorrow: The Teamsters operation.

THE FRESNO BEE

THE REPUBLICAN

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Teamster Bars Vote To Keep Power

By GEORGE L. BAKER
Bee Staff Writer

Teamsters Farmworkers Local 1973 will not hold an election of officers for two years, says its secretary-treasurer, David Castro, because he might not win the election before then.

The local is under the trusteeship of the Teamsters International and

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Castro, appointed by Western Conference head M. E. Anderson, says the local may become independent in the next three to nine months.

In the meantime, it has held no elections of officers or general membership meetings.

"Suppose we had an election and it was stacked and I lost," Castro explained. "To be very honest, I have to make sure the local is going to make it."

And the local, Castro said, can make it only with him at the head.

"I have to be better known among the union workers," Castro continued. If the men serving below Castro "can't sell me, I'll lose the election."

A recurring complaint of the Teamsters operation is that it is run autocratically, with minimal participation of farmworkers.

This is going to change soon, Castro promised. The local leadership is trying to obtain the names of workers qualified to act as shop stewards so that grievances arising on farms can be handled immediately.

If there is only one person on a ranch crew who appears qualified, Castro said Teamster business

One of a series

agents will name that man. If the selection is contested by the workers, elections will be held.

"That's why I want to start the shop stewards, so the worker will have a bigger voice," said Castro.

And membership meetings will be held as soon as meeting halls can be found in various farming communities, he said.

But last year, then director of the Western Conference, Einar C.

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Mohn, had a different explanation for how the farmworkers would fit into the Teamsters operation.

"It will be several years before they can start having membership meetings, before we can use the farmworkers' ideas in the union," Mohn said.

"I'm not sure how effective a union can be when it is composed of Mexican-Americans and Mexican nationals with temporary visas. Maybe as agriculture becomes more sophisticated and more mechanized, with fewer transients, fewer green carders and as jobs become more attractive to whites, then we can build a union that can have a structure and that can negotiate from strength and have membership participation."

The Teamsters are laboring under another handicap. The federal Equal Employment Opportunity Commission (EEOC) has alleged the international union and locals in Salinas and Modesto have discriminated against Mexican-Americans working in canneries.

In both instances, the EEOC charged the Teamsters and several companies discriminated by maintaining "an English-only policy for elections, meetings, notices and otherwise failing to provide bilingual services."

Additionally, the EEOC said, "there is reasonable cause to believe that the employers and Teamsters discriminated against Spanish-surnamed Americans by harassing and intimidating persons who tried to file grievances."

Castro, a Mexican-American, said these problems do not exist in Local 1973, whose membership is primarily Mexican-American.

The local, he said, has contracts printed in Spanish and several other languages, regularly files grievances on behalf of anyone and has a biracial leadership group and regularly gets ideas for improving local affairs from members.

If farmworkers see the Teamsters as a vehicle to better their wages and working conditions, the union's chief organizer, William Grami, has a slightly different view.

Publicly, the Teamsters have said the reason they have organized farmworkers is to lift many of them out of poverty and to improve their lot.

David B. Castro
'. . . I might not win'
Bee Photo

Teamsters: Moving To Hold Farm Power

But in a deposition given last spring, Grami said the chief benefit of organizing the workers was in strengthening the bargaining power with other agribusiness industries.

Of the Western Conference's 400,000 members, 100,000 are working in an agricultural industry, either in a cannery, frozen food plant, dehydrator or driving a truck out of a ranch, he said in the deposition arising out of a suit filed against the Teamsters by rank-and-file members.

"The organization of field workers tremendously enhances our bargaining power for all the rest of those workers. So that's one benefit I can see, an immediate benefit," he declared.

Then, he added, "And also it's our purpose to extend those benefits we've established for all industries to conform to any unorganized industry."

Organizing field workers has been expensive. Last year, according to reports filed with the Department of Labor, the Teamsters International gave the organizing committee $2,105,592. Of that, $1.36 million was spent on salaries.

Like Castro, Cono Macias of Sanger, the man who serves directly under Castro, is the son of migrant farmworkers. Both have a similar background and philosophy—the philosophy of traditional trade union precepts in which the union is operated from the top down.

At one point in an interview Castro said running the farmworkers union is unlike running a cannery because of the mobile and seasonal nature of farm work.

Because of internal problems, the local has been restructured so "dead wood" has been eliminated and organizers are closer to the workers, Castro said.

There are four areas in the state, each headed by a senior director in charge of organizers.

These organizers are the most important cog in the Teamsters machinery because they are the main and sometimes the only link with membership.

Currently there are about 40 organizers, Castro said, 10 fewer than the local should have. He said several organizers have been fired because they were suspected of "playing footsie" with growers.

Asked for an explanation, Castro cited an example of his old Teamster days when a cannery owner offered him $13,000 not to enforce provisions of the contract.

Castro said he turned it down, but the clear implication was that some of his former organizers did not.

At some point, the organizers will be supplemented by shop stewards to represent the interests of the workers. But there will be no ranch committees similar to those of the United Farm Workers Of America, AFL-CIO, Castro added.

The organizer, chosen by the union hierarchy, will remain.

This particular administrative set-up, similar to most other trade unions, is fraught with problems. Some workers complain that business agents are never around except when it comes time to collect union dues.

Further, they lack the day-to-day contact needed in agricultural work, especially when much of the work is seasonal and of short duration.

With the seasonal nature of the labor force, occasional problems crop up. Last year, for example, the Teamsters mailed 40,000 dues books to workers in the Arvin area and 30,000 of them came back because the workers had moved.

"Dues have always been a problem," said Macias. "We're trying to eliminate it, but the problem is that they are only here (in Arvin) for two weeks and then they move up north."

Now, the organizers attempt to find workers in other areas when dues books are not received in the mail.

"There's always room for improvement and I think we have improved the overall picture of the Teamsters farmworkers union." Macias said. "The way to do that is when the worker comes in with a problem that is new to us, we listen and eliminate that problem."

Castro, the former head of Cannery Workers Local 768 in Hayward, views labor relations differently than UFW chief Cesar Chavez.

"All the Chavistas do is strike," Castro said in an interview. "That's not using their talents. That's why we talk to growers so that we can iron out situations before grievances are filed. They (the UFW) just tell people to stick it and that's that."

Castro said he is proud of his role in helping Mexican-American people improve their lives through unionization and that the thing he most resents about the UFW is that it attempts to separate Mexican-Americans from other people. "That's not the way to make progress in this country," he said.

Macias reflects the same kind of attitude, perhaps because he worked for nearly 20 years as field man, crew pusher and supervisor for the grape-growing Bianco Corp. of Sanger.

Twice before he has tried unsuccessfully to build his own farmworkers union. The first time was in 1968 when he served on the board of directors of the Agricultural Workers Freedom to Work Association, a Delano-based company union founded to fight the Chavez movement.

The group was founded at the behest of Kern County growers who paid for most of the group's $4,500 expenses. Macias was appointed a director shortly before the association went out of business, but he said as soon as he learned of the involvement of growers, he quit.

Then in 1970, Macias founded the Federation of Agricultural Workers in Sanger. At the time, a public relations man for the FAW told The Bee the union was receiving contributions from growers. Macias denies that ever occurred.

The union was unsuccessful in obtaining contracts and went out of business. "I learned one lesson from that," Macias recalled. "You can't trust employers. When they say they understand what workers want, they're a bunch of liars. You've got to put pressure on them."

Tomorrow: Serving the workers.

THE FRESNO BEE

Page A10 Wednesday, Sept. 18, 1974

Teamsters Often 'Fail To Communicate' With Workers

By GEORGE L. BAKER
Bee Staff Writer

Last February, several thousand asparagus cutters, members of the Teamsters Union, walked out in a wildcat strike against several Imperial Valley growers.

Upset because they had not received a raise in two years and because most growers were paying by the hour instead of on a more lucrative piece-rate basis, the workers completely shut down the harvest.

The growers reacted swiftly. The night of the walkout, Feb. 18, three of them, along with a farm labor contractor, decided to meet the workers' demands.

Oddly, the Teamsters, who supposedly represented the workers, were neither told of the meeting nor participated in it. The growers, out of hand, simply changed the rate of pay written in the contract.

This incident, recounted in a court deposition given by one of the growers involved, John Jackson Jr., is indicative of the problems faced by Teamsters Local 1973.

It has enforced contracts with growers erratically and done relatively little, it appears, to educate workers about what is available to them under the contracts. In many instances, the Teamsters appear to be short-handed in dealing with the thousands of workers who harvest a particular crop for a few weeks and then move on.

Further, the local has concentrated its efforts, according to some growers, on permanent employes, leaving seasonal workers to deal with growers on their own or with the aid of the United Farm Workers.

Whether this is deliberate or the result of a shaking-out period in the operations of local 1973 is an open question.

Based on the amount of dues collected last year, the local is either having trouble collecting from workers and growers who are supposed to deduct the dues or workers are simply refusing to join, despite language that requires them to.

According to federal records, the local (then an organizing committee) collected $638,838 in dues last year. At any one time the local probably has 15,000 to 17,000 people working so that in a month its $7-a-month dues would have brought in $136,000.

One of a series

What is the biggest difference between operating under a UFW and Teamster contract? Replied Mike Bozick, a major Coachella Valley grape grower: "The main difference is that we can run our business the way we want to. The people are free to go to work where they want to. There is better medical coverage and the Teamsters have a pension plan."

"If you want to have a tractor driver do some field work, you can do it. If you want to keep a crew together and loan it to another grower, you can do it. If you want to put an extra crew on, you don't have to go to the hiring hall."

"The Teamsters have enforced the contract to the hilt," he continued. If anybody thinks we have a sweetheart contract, they are misguided. I think they are making a sincere effort to enforce the contract."

A former Teamster organizer, let go in a budgetary cutback, said the local has "the blind leading the blind. The only thing keeping them in the ball game is that they have money. They don't have people to go out and do the things to keep people happy."

Teamster organizer Cono Macias said the union is fully enforcing its contracts and that workers are happy under the Teamsters. "We have to keep the workers happy or we'll be out faster than Chavez was," he said.

Part of the local's problems may be traced to the philosophy of Teamsterism, applying traditional trade union concepts to a relatively unsophisticated labor force.

Says the local's secretary-treasurer David B. Castro, "The membership's primary responsibility is to familarize itself with the local office and to ask questions about the local. We want workers to completely read contracts and we have literature for them in both English and Spanish."

The asparagus strike is an example of the Teamsters failure to communicate with workers or to represent their interests.

The growers were paying cutters on a pack-out basis, the amount of asparagus shipped from each field, after culling part of the crop. Workers were insistent on a field-box rate so they could see each day how much they were making, rather than waiting until the next day to find out what had been packed.

In his deposition Jackson commented, "There had been a lack of effort on the part of the Teamsters to communicate to the worker what

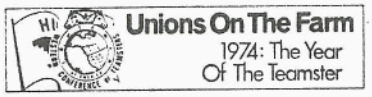
MORE

the packout rate was. There was an educational process that needed to be involved that wasn't."

The workers were unhappy that "they had not received an increase in the field-box rate for two years" under the Teamsters contract, Jackson said. After the strike, which was led by UFW organizer Manuel Chavez, the workers received a 10-cent-a-box increase to $1.40 a field box and all workers were paid on a piece rate.

Despite the fact workers were upset about their pay, the Teamsters brought no grievances to the company, Jackson said.

In some cases the Teamsters have filed grievances against growers



who have asked for more labor than was needed and then sent a group of workers home when they showed up for work.

Macias said this occurred earlier this year in Arvin when "crew pushers were getting twice as many people as they needed."

"One company laid off 150 in the morning after they came to work, saying they didn't need them," he said. "We made them pay two hours show up time for each of the workers."

Three Teamster members, discharged by the Let-Us-Pack Co., Salinas received $1,500 in back wages after an arbitrator ruled they had been fired without cause.

As a result of a Teamsters trucker strike against Salinas lettuce growers last year, about 4,000 workers received $224,000 in lock-out pay from the union.

There are other workers who say they prefer the Teamsters because it does not fine its members for missing union meetings, does not have a hiring system which splits up families or is not as tightly run as the UFW.

But a common complaint about the Teamsters is that workers have their monthly dues of $8 and a $25 initiation fees mistakenly deducted twice a month. This occurs when a worker is employed by two Teamster growers in the same month.

Macias said this has been an occasional problem, but it has been prevented by better bookkeeping.

In some cases, growers have deducted dues from workers and paid it back in cash because workers complained. This occurred at the Danny Dannenberg ranch in the Imperial Valley, workers say.

Another complaint is that Teamster business agents misrepresent the purpose of dues authorization cards when attempting to convince workers to sign them.

Salvador Alvarez of Calexico said he signed a card because a ranch foreman told him he would not get paid if he did not. Teamster contracts contain a union security clause which says a worker must be discharged if he does not join the union within three days of work in lettuce and 10 days in grapes.

Macias said business agents approach each worker and fully explain to him the benefits of a Teamsters contract and the terms of contracts and "if they don't want to sign, that's their business."

Dora Sanchez, a lettuce cutter from Mexicoli, said, "Since we signed we have been pushed harder by the foreman. We told a Teamster we needed somebody else on the (lettuce cutting) machine. They promised to get somebody but never did. The Teamsters only come to the fields one time a month to sign up people. They never talk to the people or try to help them out."

Leonides C. de Rodriquez, a woman who was refused work at the El Don Co. by a labor contractor in the Imperial Valley, said more of the companies and contractors are refusing to hire women "because they cannot be pushed to do as much work as men."

Macias says most of the complaints come from disgruntled UFW loyalists who are more interested in causing trouble than in working under a Teamster contract.

But according to a lawsuit and complaints of workers, anyone who expresses opposition to the Teamsters is deprived of a job.

In El Centro, the California Rural Legal Assistance has sued a grower and labor contractor, accusing them of firing four irrigators last year with the Teamsters Union. After becoming members of the Teamsters the four workers decided to join the UFW and were promptly fired.

In Salinas, a worker employed under a Teamster contract, was fired after he distributed leaflets announcing a UFW meeting last spring.

Tomorrow: Health, welfare, pensions.

THE FRESNO BEE

Sept. 19, 1974

Snafus Stall Laborers' Teamster Insurance Claims

By GEORGE L. BAKER

When a contractor's bus carrying 48 farmworkers to the High and Mighty Farms near Blythe skidded off a road last Jan. 15, 19 workers were killed, including Manuel Mendoza and three of his teen-age children.

Like several others who died in the early-morning crash, Mendoza was a member of the Teamsters Un-

Last of a series

ion, which provides up to $2,000 in life insurance for farmworker members.

Yet, more than nine months after the accident, Mendoza's widow, Esther, now caring for six children in Mexicali, has not received any of the insurance. Why?

Teamster officials say there is some question about Mendoza's eligibility for insurance.

Her attorney, Henry Moreno of San Diego, has written several letters attempting to get the money. So far he has been shuffled from the local office in Salinas to a field office in El Centro.

The treatment of Mrs. Mendoza is not an isolated example.

Numerous farmworkers have complained that their doctor bills have not been paid or have been paid slowly by the insurance company underwriting one Teamsters' medical insurance plan.

According to a top-ranking Teamster official and an insurance expert with the Western Growers Association (WGA), the association-funded Plan 10 is plagued with administrative snafus.

Under Plan 10, growers pay a monthly premium of $14.50 for each eligible worker. The money goes to the WGA Trust Fund which has contracted with Connecticut Life Insurance Co. to underwrite the plan.

The problems of collecting benefits were told by two workers. Ramon Gallo, a lettuce cutter in El Centro, said he developed a sore on his leg which had to be treated by a Mexicali doctor.

Though the Teamsters helped him fill out medical insurance forms, there was a snag after that. "In June 1973 I received $5 from the Teamsters. I am still paying the doctor bill of $80 because $18 is still owing."

Another Imperial Valley worker, Humberto Flores, was working under a Teamsters contract and tried to have the Teamsters' plan pay for $60 of his wife's medical bills. The bills weren't paid because the Teamsters said he didn't qualify.

The Teamsters have another major insurance plan, the California-Arizona Grower Trust Fund, which covers most of the workers in the Coachella and San Joaquin Valleys and is nearly identical in benefits to Plan 10.

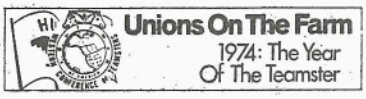
But, it was discovered, the plans benefit permanent workers more than seasonal workers because they contain stringent requirements for eligibility based on the number of hours worked each month.

To be eligible for such things as hospital benefits, a Teamsters worker must have worked 80 hours the previous month. If a worker is employed 40 hours by a grower with a Teamster contract and 40 hours by a non-Teamster employer, he is ineligible for benefits. (This is similar to the United Farm Workers of America, AFL-CIO.)

MORE

But the requirement of 80 hours a month restricts the coverage to months of peak work activity. For permanent workers who are on the job most the year, this is not the case.

the UFW's Robert F. Kennedy Medical Plan can accumulate hours over a period of several months to maintain individual or family eligibility.



The Kennedy plan is administered and underwritten by the UFW.

The Teamsters contract for separate administration, underwriting and brokering, all of which command high fees.

Last year the UFW paid out $1.14 million in benefits and the year before, $1.4 million. Les Hubbard, a spokesman for the Western Growers, said it was impossible to determine how much in benefits Plan 10 paid to Teamsters farmworkers because other unions were also covered under the plan.

Until this year there was a major difference in the way in which medical benefits were delivered.

The UFW requires farmworkers who live in the Delano and Calexico areas to use union-operated clinics. If services are insufficient, the worker can be treated at a hospital on a prepaid basis. Workers who live in other areas can use fee-for-service facilities.

On the other hand, the Teamsters used the more conventional method of allowing workers to go to the doctor or hospital of their choice.

But now the Teamsters have changed their philosophy. They are establishing clinics in Indio, Delano, Arvin and Salinas which will work much like the UFW's.

"When the Teamsters signed most of their contracts last year, they instituted a pension plan, something never before provided to farmworkers.

Grower contributions are 10 cents an hour per employe, which are paid into the Western Conference of Teamsters Pension Trust Fund.

To match this, the UFW has begun its own pension plan, calling for grower contributions of 5 cents an hour.

The Teamsters have loudly trumpeted the fact that early next year farmworkers will be eligible to retire on a pension of about $150 a month at age 65. The pension fund is giving farmworkers credit for 18 2-3 years worked, which means a worker must have been employed 12 2-3 years under a Teamsters pact to fulfill a 20-year requirement.

There is one catch, however. Michael Thomacello, administrator of the program, said a year's work is computed at 1,875 hours of annual Teamsters employment, nearly one year of full-time work.

He said a seasonal worker who worked 600 hours a year would have to work three years to earn "one year" for pension eligibility.

The plan, Thomacello said, "was designed for permanent employes," not seasonal workers.

"The short-term guy pays for the long-term guy," he added. "You've got enough turnover, enough people coming in and going out without collecting so you can pay the benefits. You've got to have turnover in order to provide it."

There is one fringe benefit available to Teamsters that is not available to the UFW employes—unemployment insurance. By state law, farmers are exempted from provisions of unemployment insurance.